

viz: "do recommend the adoption of the following preamble, resolutions, and order."

"Whereas, the constitution of the State of Maryland provides that the Legislature consist of two distinct branches, a Senate and House of Representatives, which shall be styled the General Assembly of Maryland; and in prescribing the manner in which the House of Delegates should be chosen, directs, that 'upon the final casting of the polls, the four persons who shall appear to have the greatest number of *legal votes*, shall be declared and returned duly elected for their respective counties;' and by an amendment to the constitution, it is provided, that 'the judges, place, time, and manner of holding the several elections for Delegates, Electors of the Senate, and Sheriffs of the several counties, shall thereafter be regulated by law.' And whereas, by an act of the General Assembly of Maryland, passed in pursuance of said amendment, entitled An act to reduce into one the several acts of Assembly respecting elections, and to regulate the same,' it was enacted, that 'every voter shall deliver to the Judge or Judges of Election, in the district in which he offers to vote, a ballot, *on which shall be written or printed, the name or names of the person or persons voted for, and the purpose for which the vote is given, plainly designated;*' and that, 'if upon opening any of the said ballots, there be found any more names written or printed on any of them, than there ought to be, or if any two or more of such ballots or papers be deceitfully folded together, or if the *purpose for which the vote is given*, is not plainly designated, as *within directed*, such ballots shall be rejected and not counted.'

1. Therefore Resolved, That every member of this House derives his right to a seat from the constitution and laws of the State, as now in force, and in judging of the elections and qualifications of delegates, this house is bound to decide the same according to said constitution and laws; and to declare any person entitled to a seat in this house, when the votes or ballots upon which his claim is based, were not prepared and delivered to the judge or judges of election, in the manner and form prescribed by law, is a departure from the constitution, and in violation of that obligation which each member is solemnly bound to observe.

2. Resolved, That every vote or ballot delivered to a judge or judges of election, on which there shall not have been written or printed, the name or names of the person or persons voted for, and the purpose for which the vote is